

NOTICE OF PROPOSAL TO CHANGE REGULATIONS

California Code of Regulations Title 15, Crime Prevention and Corrections Division 3, Department of Corrections

AUTHORITY:

Under authority established in Penal Code (PC) Section 5058, the Director of Corrections proposes to change Title 15 of the California Code of Regulations by amending existing regulation(s) to incorporate into the Director's Rules a revision that authorizes the Director, or designee, to appoint Research Advisory Committee members without reference to their title or organizational position.

REFERENCE:

These regulations implement, interpret, and/or make specific Penal Code Section 5054.

PUBLIC HEARING:

Date and Time: February 16, 2001, at 9:00 a.m.
Place: Department of Water Resources Auditorium
1416 Ninth Street
Sacramento, CA 95814
Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD:

Any person may submit written comments about the proposed changes. To be considered by the Department, comments must be received at the Department of Corrections, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001, or FAX (916) 322-3842, before the close of the comment period, February 16, 2001, at 5:00 p.m.

CONTACT PERSON:

Please direct any inquiries regarding this action to Rick Grenz, Chief, Regulation and Policy Management Branch, Department of Corrections, P.O. Box 942883, Sacramento, CA 94283-0001, or telephone (916) 324-4331.

ASSESSMENTS, MANDATES AND FISCAL IMPACT:

The adoption of the proposed amendment to this regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

This action imposes no mandates on local agencies or school districts; or a mandate which requires reimbursement pursuant to Government Code Section 17561; has no fiscal impact on local government, state agencies, federal funding to the State, or private persons. It is also determined that this action has no significant adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states; small businesses, because they are not affected by the internal management of State prisons. In addition, there are no other nondiscretionary costs or savings imposed on local agencies.

DETERMINATION:

The Department must determine that no alternative considered would be more effective in carrying out the purpose of this action or would be as effective and less burdensome to affected persons.

AVAILABILITY OF PROPOSED TEXT AND ISR:

The text of the proposed regulations(s), the Initial Statement of Reasons and other information upon which the proposal is based (i.e., rulemaking file) are available upon request directed to the Department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT:

If any substantial and sufficiently related changes are made to the text as a result of comments received during the public comment period, the Department will make the full text of the changed regulation available for at least 15 days before the date the regulation is permanently adopted.

Informative Digest/Plain English Policy Statement Overview:

Penal Code Section 5054 vests with the Director the supervision, management and control of the prisons, and the responsibility for the care, custody, treatment, training, discipline and employment of inmates.

Penal Code Section 5058 authorizes the Director to prescribe and amend regulations for administration of prisons.

This action will: Provide the Department greater flexibility when designating Research Advisory Committee members by allowing the Director, or his designee, to appoint committee members without reference to their title/organizational position, thereby resolving the need to amend this section based on organizational changes within the Department.